

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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June 22, 2011

David D. Burns, Esq.
Latham & Watkins, LLP
555 Eleventh Street NW, Suite 1000
Washington, DC 20004-1304

Re: Equity Communications, LP
WTTH(FM), Margate City, New Jersey
Facility Identification Number: 40030
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 20, 2011, on behalf of Equity Communications, LP ("ECL"). ECL requests special temporary authority ("STA") to operate Station WTTH with temporary facilities.¹ In support of the request, ECL states that the lease for the currently licensed site will expire soon. ECL states that it has filed Application BPH- 20110502ACQ, for a construction permit to relocate the transmitter. ECL requests STA to operate from the new site with reduced power until the application can be granted.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station WTTH may operate with the following facilities:

Geographic coordinates:	39° 22' 35" N, 74° 27' 08" W (NAD 1927)
Channel	241 (96.1 MHz)
Effective radiated power:	3.2 kilowatts (H&V)
Antenna height:	
above ground:	86 meters
above mean sea level:	89 meters

¹ WTTH is licensed for operation on Channel 241A (96.1 MHz) with effective radiated power of 2.8 kilowatts (H&V) and antenna height above average terrain of 122 meters.

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

above average terrain: 87 meters

ECL must notify the Commission when licensed operation is restored. ECL must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. The authority granted herein is without prejudice as to the Commission's final action with regard to Application BPH- 20110502ACQ. Any construction undertaken pursuant to this authority is entirely at ECL's own risk.

This authority expires on **December 22, 2011**.

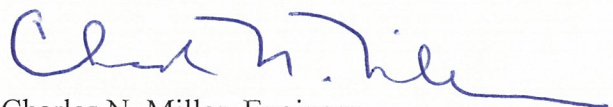
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Equity Communications, LP